IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY SIXTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 21226 of 2004

Between:

Khaja Bee @ Jamal Bee, W/o late Mohd Jamal
R/o H. No. 8-2-682/32/17, road No. 12 Banjara Hills, Hyderabad

..... PETITIONER

AND

1 The Government of A.P., rep by Home Secretary, having office at

Secretariat, Hyderabad.
2 The Commissioner of Police, Hyderabad, having Office at Basheerabagh,

Hyderabad.
3 The Deputy Commissioner of Police, D.D-1, C.C.S. Hyderabad.
4 The Deputy Commissioner of Police, Task Force, having office at

Greenlands, Hyderabad.
5 The Inspector of Police, WPS, CCS,. Hyderabad.
6 M.A. Majeed, R/o H. No. 8-2-682/32/26, Road No.12, Banjara Hills,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue an appropriate Writ more particularly one in the nature of Writ of Mandamus, declaring the action of the respondents as illegal, arbitrary and unjust and violative of Articles 14, 19 (d) 19(e), 21 22(1) of the Constitution of India consequently directing the Respondents 2 to 5 not to harass the petitioner in collusion with respondent No.6 for selling the petitioner's property in the interest of justice.

Counsel for the Petitioner: MR.N.KURUMURTHY

Counsel for the Respondent Nos.1 to 5: GP FOR HOME

Counsel for the Respondent No.6: None appeared.

The Court at the stage of admission made the following :

ORDER:

Heard the learned counsel for the petitioner and the learned Government Pleader for Home appearing on behalf of respondent Nos.
1 to 5.

This writ petition is filed, in effect, seeking a direction to respondent Nos.2 to 5 not to harass the petitioner in collusion with respondent No.6 to sell her property.

Respondent No.5 filed counter-affidavit denying the averments made in the affidavit filed in support of the writ petition. It is stated that the petitioner is accused No.2 in Cr.No.706/2004 for which a case was registered under Section 498-A IPC read with Section 34 IPC and Sections 4 and 6 of Dowry Prohibition Act, on the private complaint lodged by her daughter-in-law before XXII Metropolitan Magistrate, Hyderabad alleging that the petitioner's son and his relatives subjected her to cruelty and demanded her additional dowry, and the said crime is under investigation by respondent No.5. The allegation that respondent Nos.4 to 6 taking advantage of the Cr.No.706/2004, are harassing the petitioner to sell her property to respondent No.6 is false, baseless and hence denied. It is stated that respondent No.5 never harassed the petitioner at any point of time nor called the petitioner to the police station.

In view of the above averments in the counter-affidavit filed by respondent No.5, no further orders are required to be passed in this writ petition. Accordingly, the writ petition is closed. No costs.

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N.V. RAMANA, J

Date: 26-4-2005

Svv

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Home, Government of A.P., Secretariat, Hyderabad.
2 The Commissioner of Police, Hyderabad, having Office at Basheerabagh,

Hyderabad.
3 The Deputy Commissioner of Police, D.D-1, C.C.S. Hyderabad.
4 The Deputy Commissioner of Police, Task Force, having office at

Greenlands, Hyderabad.
5 The Inspector of Police, WPS, CCS,. Hyderabad.
6. Two C.Cs. to the Government Pleader for Home, High Court Buildings,

Hyderabad. (O.U.T.)

7. Two C.D. copies

*Form-NIC-OGS/WP{**TRT**}*